

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	10 Civ. 4140 (DLC)
MEDICIS PHARMACEUTICAL CORPORATION,	:	
Plaintiff,	:	PRETRIAL
	:	<u>SCHEDULING ORDER</u>
-v-	:	
	:	11 Civ. 2630 (DLC)
NYCOMED U.S. INC. and NYCOMED GMBH,	:	
Defendants.	:	
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DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed. R. Civ. P., on May 20, 2011, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. By **June 3, 2011**, the parties will submit to the Court letters describing any outstanding disputes concerning the discovery of electronically stored information.
2. No additional parties may be joined or pleadings amended after **June 10, 2011**.
3. On **September 23, 2011**, the parties will exchange lists of disputed claim terms and proposed constructions.
4. Opening claim construction briefs shall be filed by **October 14, 2011**.
5. Responsive claim construction briefs shall be filed by **November 4, 2011**.
6. All fact discovery must be completed by **February 24, 2012**.
7. Expert reports and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed. R. Civ. P., by the party bearing the burden on an issue must be served by **March 16, 2012**. Identification of rebuttal experts and disclosure of their expert testimony must occur by **April 6, 2012**.

8. All discovery must be completed by **May 4, 2012**.
9. The Joint Pretrial Order must be filed by **June 1, 2011**.

As described in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Proposed Findings of Fact and Conclusions of Law and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter.

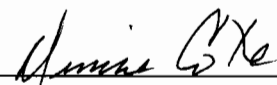
All direct testimony except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, or a witness for whom a party has requested and the Court has agreed to hear the direct testimony at trial, shall be submitted by affidavits served, **but not filed**, with the Joint Pretrial Order.

Those portions of depositions that are being offered as substantive evidence, along with a one page synopsis (with transcript citations) of such testimony for each deposition, shall be exchanged at the time the Pretrial Order is filed.

Three days after submission of the affidavits, counsel for each party shall submit a list of all affiants that he or she intends to cross-examine at the trial. Affiants for whom such notice is not given are not required to be present at trial.

Counsel will provide the Court with two (2) courtesy copies of all these documents at the time they are served, as well as one set of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labelled with the exhibit numbers and placed in a suitable container or box for ready reference.

Dated: New York, New York
May 23, 2011



DENISE COTE
United States District Judge